


AGENDA ITEM SUMMARY

Staff Contact Person: K. Marlene Conaway

AGENDA ITEM #_____

M E M O R A N D U M

TO:: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director 
DATE: April 20, 2005
RE: Clarification of Agenda Item

Restrictive Covenant

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
03-2-2508	David B. & Debbie J.S. Nelson	David B. & Debbie J.S. Nelson	Lots 8, 9 & 12 Block 5, Center Island SEcton 2 Part 1 Tom Harbor, Duck Key

Lot Aggregation Restrictive Covenant

1. WHEREAS, David B. and Debbie J.S. Nelson, a married couple, the undersigned are the sole owners of the following described real property located in Monroe County, Florida described as follows:

Lot(s) 8, 9 and 12 Block 5

Subdivision: Center Island, Section 2, Part 1, Toms Harbor

Key Duck PB: 5-82

Real Estate #(s) 00380100.000000, 00380110.000000, 00380140.000000 and

2. WHEREAS, this Lot Aggregation Restrictive Covenant that restricts the use of the legally described property in order to receive a building permit; and
3. WHEREAS, the above described parcel(s) was assigned additional points in the Permit Allocation System for building permit # 03-2-2508 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots.
4. NOW, THEREFORE, the undersigned agree as follows:
 - The above described parcel(s) shall have its density reduced from three dwelling units to one dwelling unit in consideration of a building permit to build a single family residence; and
 - The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention if the undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and
 - This covenant is intended to benefit and run in favor the of the County of Monroe; and

- In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

Executed on this 11TH day of MARCH, 2005

OWNER OR OWNERS

[Signature]

(Signature) David Nelson
7100 Glenwood Street
Duluth, Minnesota 55804

[Signature]

(Signature) Debbie Nelson
7100 Glenwood Street
Duluth, Minnesota 55804

WITNESSES

[Signature]
(Signature)

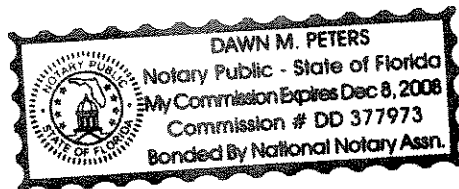
CATHY A. WILLIAMS
(Print / Type Name)

[Signature]
(Signature)

Angela Nordstrom
(Print / Type Name)

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 11 day of March 2005
by [Signature] who is/are personally known to me or
produced Min D L L as proof of identification and did take an oath.



[Signature]
Notary Public (Print Name)

[Signature]
Notary Public (Signature)

This instrument was prepared by:
David & Debbie Nelson
7100 Glenwood Street
Duluth, Minnesota 55804

